

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DECISION AND ORDER

AARON POSTMA,

14-CR-221S

Defendant.

1. On February 12, 2015, the Defendant pled guilty to Counts 1, 2, 3, 4 and 5 of the Indictment (Docket No. 8) charging a violations of Title 21 U.S.C. §963 (Conspiracy to Import LSD into the United States), Title 21, U.S.C. §846 (Conspiracy to Distribute LSD), Title 21 U.S.C. §'s 952(a), 960(a)(1), 960(b)3 and 960(b)(4) (Importation of Controlled Substances), Title 21 U.S.C. §'s 841(a)(1) and 841(b)(1)(C) (Possession of LSD with Intent to Distribute) and Title 18, U.S.C. §545, (Smuggling Merchandise into the United States).

2. On February 12, 2015, the Honorable Leslie G. Foschio, United States Magistrate Judge, filed a Report and Recommendation (Docket No. 18) recommending that Defendant's plea of guilty be accepted and the Defendant adjudicated guilty.

3. This Court has not received objections to the Report and Recommendation in accordance with 28 U.S.C. §636(b)(1) and Local Rule 59(b).

4. This Court has carefully reviewed *de novo* Judge Foschio's February 12, 2015, Report and Recommendation, the Government's Calculation of Maximum Sentence and Sentencing Guideline Range, the indictment, and the applicable law. Upon due consideration, this Court finds no legal or factual error in Judge Foschio's Report and

Recommendation, and will accept Judge Foschio's recommendation that Defendant's plea of guilty be accepted and that the Defendant be adjudicated guilty as charged.

IT HEREBY IS ORDERED, that this Court accepts Judge Foschio's February 12, 2015, Report and Recommendation (Docket No. 18) in its entirety, including the authorities cited and the reasons given therein.

FURTHER, that the plea of guilty of Defendant Aaron Postma is accepted, and he is now adjudged guilty of Title 21 U.S.C. §963, Title 21, U.S.C. §846, Title 21 U.S.C. §'s 952(a), 960(a)(1), 960(b)3 and 960(b)(4), Title 21 U.S.C. §'s 841(a)(1) and 841(b)(1)(C) Title 18, U.S.C. §545.

SO ORDERED.

Dated: March 16, 2015
Buffalo, New York

s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court